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**FILED**  
OCT 02 2002  
AT 8:30.....  
WILLIAM T. WALSH  
CLERK

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

THE PRUDENTIAL INSURANCE  
COMPANY OF AMERICA, ET AL.,

Plaintiffs,

vs.

UNITED STATES GYPSUM COMPANY,  
ET AL.,

Defendants.

CIV. NO. 87-4227 (HAA)  
CIV. NO. 87-4238 (HAA)

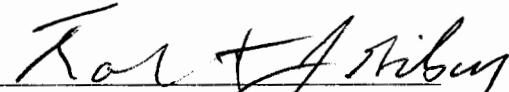
HON. HAROLD A. ACKERMAN, U.S.D.J.

**NOTICE OF APPEAL**

Notice is hereby given that The Prudential Insurance Company of America, PIC Realty Corporation and 745 Property Investments, plaintiffs in the above named case, hereby appeal to the United States Court of Appeals for the Third Circuit from the Judgment, entered pursuant to Rule 54(b) of the Federal Rules of Civil

Procedure on September 4, 2002, and certifying as final for purposes of appeal the Orders previously filed on June 20, 2001, and July 13, 2001.

RIKER, DANZIG, SCHERER, HYLAND  
& PERRETTI LLP

By:   
Robert J. Gilson (RG-6618)

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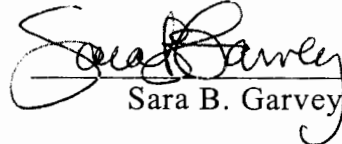
Attorneys for Plaintiffs, The Prudential  
Insurance Company of America, PIC Realty  
Corporation and 745 Property Investments

Dated: October 2, 2002

**CERTIFICATION OF SERVICE**

I hereby certify, that on October 2, 2002, I caused the original of the attached Notice of Appeal to be submitted for filing by sending the original and six copies of the Notice of Appeal to the Clerk of the Court for the United States District Court for the District of New Jersey via Hand Delivery. I also caused copies of this Notice of Appeal to be served, via Federal Express overnight delivery, to all counsel of record for defendants as per the attached list.

I declare that the foregoing statements made by me are true under penalty of perjury.

  
Sara B. Garvey

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